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Attorneys for Defendant Qualcomm Incorporated

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

BROADCOM CORPORATION,

Plaintiff,

v.

QUALCOMM INCORPORATED,

Defendant.

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:  
:

Civil Action No. 05-3350 (MLC) (JJH)

**NOTICE OF MOTION FOR ADMISSION *PRO HAC VICE***

PLEASE TAKE NOTICE that as soon as counsel may be heard, Defendant Qualcomm Incorporated ("Defendant") will move before this Court for an order admitting Thomas E. Kuhnle, Esq. of the law firm of Bingham McCutchen LLP, *pro hac vice* in this action.

In support of the motion, Defendant relies on the accompanying Affidavit of Thomas E. Kuhnle. Defendant respectfully submits that no brief is necessary in connection with this motion, in as much as the bases of this application are set forth in the accompanying Affidavit.

Dated: April 8, 2008

McCARTER & ENGLISH, LLP

By: s/ William J. O'Shaughnessy  
William J. O'Shaughnessy  
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100 Mulberry Street  
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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

BROADCOM CORPORATION,	:	
	:	
Plaintiff,	:	Civil Action No. 05-3350 (MLC) (JJH)
	:	
v.	:	
	:	
QUALCOMM INCORPORATED,	:	
	:	
Defendant.	:	

**CERTIFICATION OF WILLIAM J. O'SHAUGHNESSY  
IN SUPPORT OF *PRO HAC VICE* ADMISSION OF  
THOMAS E. KUHNLE, ESQ.**

WILLIAM J. O'SHAUGHNESSY, of full age, certifies as follows:

1. I am a member of the bar of the State of New Jersey and of McCarter & English, LLP, counsel for Defendant Qualcomm Incorporated in this action.

2. I make this Certification in support of the application of Thomas E. Kuhnle, Esq. for admission to the bar of this Court *pro hac vice*.

3. An Affidavit from Mr. Kuhnle in support of his application for admission to the bar of this Court *pro hac vice* has also been submitted.

4. Mr. Kuhnle has been advised of his obligation to comply with the Rules of Professional Conduct adopted by the New Jersey Supreme Court, and of Local Rule 101.1(c) which governs the admission of counsel *pro hac vice*.

5. Mr. Kuhnle will be associated with attorneys from the firm of McCarter & English, LLP in the defense of this matter, and a member of McCarter & English, LLP will sign all pleadings, briefs, and other papers filed with the Court.

6. Our adversary, Broadcom Corporation, through its attorney, Kate Saxton of Wilmer Cutler Pickering Hale & Dorr LLP, has consented to the *pro hac vice* admission of Mr. Kuhnle.

I certify under penalty of perjury that the foregoing is true and correct.

s/William J. O'Shaughnessy  
William J. O'Shaughnessy

DATED: April 8, 2008

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BROADCOM CORPORATION,

Plaintiff,

v.

QUALCOMM INCORPORATED,

Defendant.

Civil Action No. 05-3350 (MLC) (JJH)

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SAN MATEO )

**AFFIDAVIT OF THOMAS E. KUHNLE IN SUPPORT OF  
ADMISSION *PRO HAC VICE***

Thomas E. Kuhnle, being duly sworn, deposes and says:

1. I am a member of the law firm of Bingham McCutchen LLP. My business address is 1900 University Avenue, East Palo Alto, California 94303-2223. I make this Affidavit in support of the motion of Defendant Qualcomm Incorporated ("Qualcomm") to admit me *pro hac vice* for purposes of representing it in this matter.

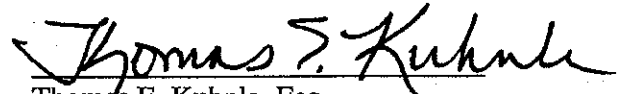
2. I am a member in good standing of the bar of the State of California, the state of which I am a resident and in which I principally practice law. There are no disciplinary proceedings presently pending against me, and no discipline has previously been imposed upon me.

3. I am a 1995 graduate of Stanford Law School. I was admitted to practice in the State of California in 1995. I am admitted to practice before the United States District Court for the Southern District of California (2001), the United States District Court for the Central District of California (2001), the United States District Court for the Eastern District of California (2001), the United States District Court for the Northern District of California (1996), and the United States Court of Appeals for the Ninth Circuit (1996).

4. My principal practice involves antitrust, intellectual property and complex commercial litigation. Our law firm is counsel for Qualcomm in several proceedings currently pending before various adjudicatory bodies, and Qualcomm has requested that we represent it in all aspects of this case, including trial, and I accordingly request that the Court admit me *pro hac vice* for these purposes.

5. I am familiar with and, if admitted, will abide by the Local Rules of this Court. I am associated in this matter with New Jersey counsel, William J. O'Shaughnessy, Esq. of the law firm of McCarter & English, LLP, Four Gateway Center, 100 Mulberry Street, Newark, New Jersey 07102.

6. I will make any required payment to the New Jersey Lawyers' Fund for Client Protection.

  
Thomas E. Kuhnle, Esq.

Sworn and subscribed to before me,  
a notary public of the State of California,  
this 3rd day of April, 2008.

see attached certificate

## CERTIFICATE

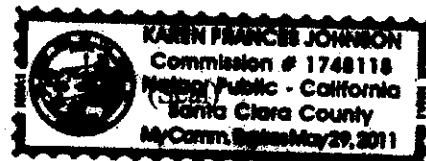
State of California )  
County of San Mateo )

On April 3, 2008 before me, Karen F. Johnson (insert here name and title of the officer), personally appeared Thomas E. Khunle, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Karen F. Johnson





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v.	:	
	:	
QUALCOMM INCORPORATED,	:	
	:	
Defendant.	:	

**CERTIFICATION OF SERVICE**

RICHARD HERNANDEZ, of full age, certifies as follows:

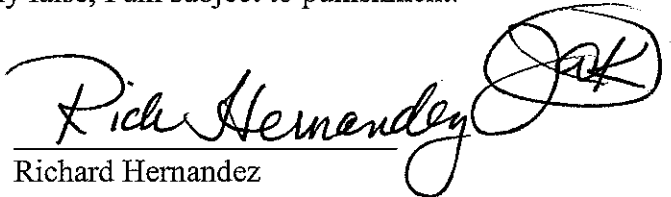
1. I am an attorney at law of the State of New Jersey and am associated with the firm of McCarter & English, LLP, attorneys for Defendant Qualcomm Incorporated.

2. On April 8, 2008, I caused to be delivered by ECF copies of the forgoing to the following:

Kate Saxton, Esq.  
Wilmer Cutler Pickering Hale & Dorr LLP  
60 State Street  
Boston, Massachusetts 02109

Steven John Kaiser, Esq.  
Cleary Gottlieb Steen & Hamilton LLP  
2000 Pennsylvania Avenue, NW  
Washington, DC 20006

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

  
Richard Hernandez

DATED: April 8, 2008

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v.	:	
	:	
QUALCOMM INCORPORATED,	:	
	:	
Defendant.	:	

**ORDER GRANTING ADMISSION *PRO HAC VICE***

This matter having been opened to the Court by McCarter & English, LLP, attorneys for Defendant Qualcomm Incorporated, seeking an Order admitting Thomas E. Kuhnle, Esq., attorney at law of the State of California *pro hac vice*, and the local counsel for Defendant (McCarter & English, LLP) having represented that Plaintiff has no objection to the entry of the within Order;

IT IS on this \_\_\_\_\_ day of \_\_\_\_\_, 2008,

ORDERED as follows:

1. Thomas E. Kuhnle, Esq. be and is hereby admitted *pro hac vice* to appear in this matter for all purposes on behalf of Defendant Qualcomm Incorporated.

2. Thomas E. Kuhnle, Esq. is required to abide by the Rules governing this Court, including all disciplinary rules, and to notify the Court immediately of any matter affecting his standing at the bar of any other court.

3. Thomas E. Kuhnle, Esq. is deemed to consent to the appointment of the Clerk of the Court as agent upon whom service of process may be made for all actions against him or his firm that may arise out of his participation in this matter.

4. William J. O'Shaughnessy, Esq. of the firm of McCarter & English, LLP, and a member of the bar of this Court, has entered an appearance in this case and shall be counsel of record in accordance with Local Civil Rule 101.1(c)(3).

5. In accordance with Local Civil Rule 101.1(c)(2), Thomas E. Kuhnle, Esq. will make payment to the New Jersey Lawyers' Fund for Client Protection as provided by New Jersey Rule 1:28-2(a).

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Honorable John J. Hughes, U.S.M.J.